

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 8, 2004

09/841156

5/1/06

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20 =	
INDEPENDENT CLAIMS	minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

5/1/06

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	51	Minus 38	= 13
Independent	10	Minus 10	= -
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total		Minus	=
Independent		Minus	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total		Minus	=
Independent		Minus	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	790.
X200=	
+360=	
TOTAL	PAID 790.

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	650.
X200=	
+360=	
TOTAL ADDIT. FEE	PAID 650.

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	

United States Patent and Trademark Office
- Sales Receipt -

05/02/2006 CMOLLISH 00000001 061050 09841156

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shunpei YAMAZAKI et al.
Serial No. : 09/841,156
Filed : April 25, 2001
Title : LIGHT EMITTING DEVICE

Art Unit : 2813
Examiner : Heather Anne Doty

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Prior to examination, please amend the application as indicated on the following pages.

Amendments to the Claims begin at page 2 of this paper.

Arguments/Remarks begin at page 13 of this paper.

FILE
ONLY

Applicants submit that the Examiner is again not asserting a proper motivation or suggestion to combine. Yoneda does not suggest that use or application of its "conventional" structure leads to time-saving advantages. Rather, the Examiner is inferring this advantage based on the reasoning that a "conventional" structure is a known structure and, therefore, does not require that time be spent developing a new technology. The Examiner's reasoning, however, effectively reads the motivation requirement out of establishing a prima facie case of obviousness. Taking the Examiner's reasoning to its logical end, all combinations with any known art would be motivated by the mere convenience of leveraging the known technology. This is not proper.

A motivation to combine requires that "the references themselves must provide some teaching whereby the applicant's combination would have been obvious" (emphasis added). *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991). Yoneda provides no such teaching that modifying Terrada in the manner suggested by the Examiner would lead to time-saving advantages. Rather, Yoneda simply describes a particular LCD structure as being known or conventional in the art.

Applicants submit that all claims are in condition for allowance.

The fee in the amount of \$910 in payment for the Request for Continued Examination fees is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

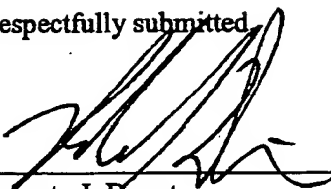
Applicant : Shunpei YAMAZAKI et al
Serial No. : 09/841,156
Filed : April 25, 2001
Page : 15 of 15

Attorney's Docket No.: 12732-033001 / US4868

Respectfully submitted,

Date: _____

5/1/06



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